IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD (Special Original Jurisdiction)

FRIDAY, THE TWENTY FOURTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 13417 of 1996

Between:

1 Mohd. Mohiddin Khan, S/o. Fareeduddin Khan.
R/o. 119-1-1088/2, Bandlagunda Near Zoo Park,
Hyderabad.
2 Mohd. Machmooduddin Khan, S/o. Fareeduddin Khan.
Rep. GPA P.K.Ramaiah, R/o. H.No. 87, Santhinagar,
Hyderabad.
3 Mohd. Naquiuddin Khan, S/o. Fareeduddin Khan.
Rep. GPA P.K.Ramaiah, R/o. H.No. 87, Santhinagar,
Hyderabad.
4 Mliuddin Khan, S/o. Fareeduddin Khan.
Rep. GPA P.K.Ramaiah, R/o. H.No. 87, Santhinagar,
Hyderabad.
5 Mrs. Rahmatunnisa Begum, D/o. Fareeduddin Khan.
Rep. GPA P.K.Ramaiah, R/o. H.No. 87, Santhinagar,
Hyderabad.
6 Mrs. Fathimunnisa Begum, D/o. Fareeduddin Khan.
Rep. GPA P.K.Ramaiah, R/o. H.No. 87, Santhinagar,
Hyderabad.
7 Mrs. Rabia Begum, D/o. Fareeduddin Khan.
Rep. GPA P.K.Ramaiah, R/o. H.No. 87, Santhinagar,
Hyderabad.
8 Mrs. Mahammodunnisa Begum, D/o. Fareeduddin Khan.
Rep. GPA P.K.Ramaiah, R/o. H.No. 87, Santhinagar,
Hyderabad.
9 Mrs. Qamrunnisa Begum, D/o. Fareeduddin Khan.
Rep. GPA P.K.Ramaiah, R/o. H.No. 87, Santhinagar,
Hyderabad.

10 Mrs. Ahamadunnisa Begum, D/o. Fareeduddin Khan.
Rep. GPA P.K.Ramaiah, R/o. H.No. 87, Santhinagar,
Hyderabad.
11 P.K.Ramaiah, S/o. Venkataiah.
R/o. 87, Santhinagar, Hyderabad.

..... PETITIONERS

AND

1 Govt. of A.P., Rep. Secretary.
Secretariat Buildings, Revenue Dept.,
Hyderabad.
2 District Collector,
Hyderabad.
3 Commissioner of Urban Land Ceilings,
Hyderabad.
4 Special Officer and Competent Authority, Urban Land

Ceilings, Hyderabad.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring that the 10 petitioners/declarants are each entitled to 1000 Sq. meters as per the proceedings of the Special Officer and Competent Authority dated 16/01/1992.

Counsel for the Petitioner: MR.P.PRABHAKAR REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

O R D E R

This writ petition is filed for issue of writ of Mandamus declaring that the 10 petitioners / declarents are each entitled to 1,000/- sq meters as per the proceedings of the Special Officer and competent authority dated 16.1.1992.

2 . The case of the petitioners is that the Special Officer and competent authority through proceedings dated 16.1.1992 under Section 8(1) of the Urban Land (Ceiling and Regulation) Act, 1976 made draft computation of the vacant land stating that each of the sharer is entitled to 1,000 sq. meters and the same has become final. Their grievance is that on 16.2.1994, the said authority has reviewed the earlier order dated 16.1.1992 without any notice to the petitioners and held that all the petitioners are together entitled to 1000 sq. meters and the entire balance extent of 25429.30 sq. meters was proposed as excess and thereafter the said authority again passed orders on 7.7.1994 reviewing its earlier order dated 16.2.1994.

3. The learned counsel for the petitioners submitted that aggrieved by the same, the petitioners have filed an appeal before the Commissioner, Usrban Land Ceilings, Government of Andhra Pradesh and pending the appeal, the present writ petition is filed.

4. This court while admitting the writ petition granted status quo and it is submitted that in view of the orders of status quo, no orders could be passed by the appellate authority, before whom the appeal is pending. The learned counsel for the petitioners requested this court

to issue directions to the appellate authority to dispose of the appeal.

5. The learned Government Pleader has no objection for issuance of such a direction.

6. In view of the above facts and circumstances and in the interest of justice, this writ petition is disposed of directing the Commissioner, Urban Land Ceilings, Hyderabad to dispose of the appeal within a period of three months from the date of receipt of a copy of this order. Till the disposal of the appeal, status quo granted by this court earlier, shall be maintained. No costs.

AVS ----------

24.06.2005

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary,Govt. of A.P.,
Secretariat Buildings, Revenue Dept.,

Hyderabad.
2 The District Collector,
Hyderabad.
3 The Commissioner of Urban Land Ceilings,
Hyderabad.
4 The Special Officer and Competent Authority, Urban Land Ceilings, Hyderabad.

5. 2 CCs to G.P. for Revenue, A.P.High Court Building, (OUT).

6) 2 CD copies

7) 1 CC to MR.PRABHAKAR REDDY

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